

REMARKS

Enclosed herewith is a Substitute Specification in which the specification as filed (and as amended in accordance with Applicants' Amendment filed December 3, 2008) has been amended to correct typographical and grammatical errors, and to also add section headings.

In support of the above, enclosed herewith is a copy of the specification as filed (including said December 3, 2008 changes) marked up with the above changes.

The undersigned attorney asserts that no new matter has been incorporated into the Substitute Specification.

Applicants believe that the above changes answer the Examiners objections to the specification (and Abstract), and respectfully request withdrawal thereof.

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has rejected claims 1-4 and 10-12 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 7,119,851 to Ono. The Examiner has further rejected claims 5, 6, 8, 9 and 14 under 35 U.S.C. 103(a) as being unpatentable over Ono.

The Ono patent discloses an image processing apparatus and control method thereof, in which a broadcast video stream is applied to a demultiplexer 16, an image decoder 18 and a resolution conversion unit 20 to form a first processed stream. The broadcast video stream is also applied to a harddisk drive 30 which, in turn,

applies a transport stream designated by a CPU 62 to a demultiplexer 32, an image decoder 34 and a resolution conversion unit 36 to form a second processed stream.

As noted in MPEP §2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 includes "A method of providing a video signal for display of a stream of video data at a rate other than real-time, the video data being built up from subsequent frames, the method comprising the steps of:

- selecting non-contiguous segments of the stream of video data, each of said segments comprising multiple subsequent frames;

- real-time rendering said non-contiguous segments to form a first rendered stream;

- selecting pre-determined non-subsequent frames of said stream of video data;

- non-real-time rendering said pre-determined non-subsequent frames to form a second rendered stream; and

- multiplexing the first rendered stream and the second rendered stream for simultaneous display on a display device,

wherein the first rendered stream is displayed on a first part of the display device and the second rendered stream is displayed on a second part of the display device; and

wherein the first rendered stream is provided at a first rate and the second rendered stream is provided at a second rate, where the second rate is greater than the first rate and real-time."

The Examiner has indicated that Ono discloses "a real-time rendering step (16, 18, 20), a non real-time rendering step (32, 34, 36), and a multiplexing step (22). The video data stream includes both non-contiguous and contiguous segments. The harddrive storage HDD 30 stores video signal from source 14. The stored video data can be retrieved and reproduced by pressing one of the control buttons on remote control as shown in Figure 2. For instance, if fast forward button 90 is pressed, the video data would be retrieved in a faster manner than it normally would. Thus, as shown in Figure 6C, the video HDD can have a faster frame rate than the CH6 video when the fast forward button is pressed."

Applicants submit that the Examiner is mistaken. In particular, while Ono arguably discloses "a real-time rendering step", Ono does not disclose or suggest the real-time rendering of non-contiguous segments of the stream of video data. In particular, the real-time rendering step and the non-real-time rendering step of the subject invention form rendered streams which both depict a fast-forwarding (or fast-rewinding) of the stream of video data. The real-time rendering step of the subject invention is described

in the specification on page 1, lines 15-19, while the non-real-time rendering step is described in the specification on page 2, lines 8-15.

Applicants submit that in Ono, while the video stream from the harddisk drive may be rendered in a fast-forward mode, there is no disclosure or suggestion that the broadcast video stream processed by the "real-time rendering step" is capable of a fast-forward mode. Further, there is no disclosure or suggestion in Ono how, in the "non-real-time rendering step", fast-forward reproduction is effected by the fast-forward key 90 of the remote controller 52 operating on the CPU 62 to control the retrieval of data from the harddisk drive.

In regard to the specific limitations of claim 1, Applicants submit that Ono neither discloses nor suggests "selecting non-contiguous segments of the stream of video data, each of said segments comprising multiple subsequent frames", "real-time rendering said non-contiguous segments to form a first rendered stream", "selecting pre-determined non-subsequent frames of said stream of video data" and "non-real-time rendering said pre-determined non-subsequent frames to form a second rendered stream".

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by Ono, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-6, 8-12 and 14, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611